

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Avi Ashkenazi, et al.                      Docket No.: 39780-2730P1C59  
Serial No.: 09/989,729                                      Group Art Unit: 1645  
Filing Date: November 19, 2001                      Examiner: Unknown  
For: **NUCLEIC ACIDS ENCODING PRO1346 POLYPEPTIDES**  
Express Mail Label No.: EL 977 673 816 US  
Mailing Date: September 9, 2004

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --  
☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --  
☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --  
☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☐ a certification as specified in §1.97(e) is provided below; or

☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**

C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39780-2730P1C59).

Respectfully submitted,

Dated: September 9, 2004

By: Daphne Reddy  
Daphne Reddy, Ph.D.  
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<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>			<b>ATTY. DOCKET NO.:</b> 39780-2730P1C59		<b>SERIAL NO.:</b> 09/989,729	
			<b>APPLICANT :</b> Ashkenazi, et al.			
			<b>FILING DATE:</b> 11/19/01		<b>GROUP:</b> 1645	
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
<b>FOREIGN PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
						<input type="checkbox"/> <input type="checkbox"/>
						<input type="checkbox"/> <input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
	Dayhoff, Accession No.: P_AAB65250, WO200073454-A1, Pub. Date: Dec. 7, 2000, Ashkenazi, A.J. et al.					
	Dayhoff, Accession No.: P_AAY66727, WO9963088-A2, Pub. Date: Dec. 9, 1999, Baker, K. et. al.					
	Dayhoff, Accession No.: P_AAB33444, WO200053758-A2, Pub. Date: Sept. 14, 2000, Ashkenazi, A.J. et.al.					
	GenBank, Accession No.: P_AAC58609, WO200053758-A2, Pub. Date: Sept. 14, 2000, Ashkenazi, A.J. et.al.					
	GenBank, Accession No.: P_AAF44217, WO200073454-A1, Pub. Date: Dec. 7, 2000, Ashkenazi, A.J. et. al.					
	GenBank, Accession No.: P_AAZ65071, WO9963088-A2, Pub. Date: Dec. 9, 1999, Baker, K. et.al.					
EXAMINER			DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.